

REMARKS

Claims 8 and 28-34 are pending. Claims 8, 28, 29, 32 and 34 have been amended. Claim 31 has been cancelled and new claims 35 and 36 has been added. No new matter has been added by virtue of the amendments. Support for the amendments to the claims and for the new claim can be found in the specification and claims as originally filed.

Any cancellation of the claims should in no way be construed as acquiescence to any of the Examiner's rejections and was done solely to expedite the prosecution of the application. Applicant reserves the right to pursue the claims as originally filed in this or a separate application(s).

Rejection of Claim 8 Under 35 USC 112, Second Paragraph

The Examiner has rejected claim 8 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.

However, while in no way acquiescing to the validity of the Examiner's rejection, Applicants have amended claim 8, thereby rendering this rejection moot.

Applicants respectfully request withdrawal of this rejection.

Rejection of Claims 8 and 32-34 Under 35 USC 112, Second Paragraph

The Examiner has rejected claims 8 and 32-34 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.

Applicants have amended claim 8 in order to clarify the subject matter being claimed. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection of Claim 28 Under 35 USC 102(b)

The Examiner has rejected claim 28 as being anticipated by De La Cruz ((1989) J. Immunology 142:3568-75). Applicants respectfully traverse this rejection.

While in no way acquiescing to the validity of the Examiner's amendment, and solely in the interest of expediting prosecution, Applicants have amended claim 28 to be directed to a

peptide compound which selectively binds to the extracellular portion of human PSMA and comprises the amino acid sequence QKHHNYL (SEQ ID NO:109). De La Cruz does not teach or suggest a polypeptide comprising the amino acid set forth as SEQ ID NO:109.

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection of Claims 28 and 29 Under 35 USC 102(e)

The Examiner has rejected claims 28 and 29 as being anticipated by Milton (US 2004/0072753). Applicants respectfully traverse this rejection.

While in no way acquiescing to the validity of the Examiner's amendment, and solely in the interest of expediting prosecution, Applicants have amended claim 28 to be directed to a peptide compound which selectively binds to the extracellular portion of human PSMA and comprises the amino acid sequence QKHHNYL (SEQ ID NO:109). Milton does not teach or suggest a polypeptide comprising the amino acid set forth as SEQ ID NO:109.

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

CONCLUSIONS

In view of the above amendment, Applicants believe the pending application is in condition for allowance. Applicants reserve the right to pursue non-elected or cancelled subject matter in one or more continuing applications.

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Respectfully submitted,

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